

**REMARKS**

This Amendment, submitted in response to the Office Action dated September 19, 2007, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-8 are all the claims pending in the application. Claim 4 has been amended to correct a formality regarding dependency. Specifically, multiple dependent claim 4 depended from multiple dependent claim 3. This dependency to claim 3 in claim 4 has been removed. Claim 5 has been added to claim the subject matter removed from claim 4. Applicant respectfully submits that there has been no change in claim scope and that the amendment to the claims is entirely to correct the form of the dependent claims.

To provide more varied protection, claims 6-8 have been added, which are clearly supported throughout the specification *e.g.*, Figs. 2 and 3.

**I. Formalities**

Applicant respectfully requests the Examiner to withdraw the objection to the specification in view of the self-explanatory amendments shown above.

**II. Claim Rejections - 35 U.S.C. § 102**

Claims 1-4 are rejected under 35 U.S.C. § 102(e) as being anticipated by Nakano (US 6,836,668). Applicant respectfully traverses this rejection.

Claim 1 recites, *inter alia*,

A mobile phone system which performs communication between a mobile phone terminal and an opposite party terminal via a network, wherein the mobile phone terminal . . . , the network comprises data/voice message converting means for converting data transmitted from the mobile phone terminal via the packet switching line to corresponding voice message, and means for merging the converted voice message to the circuit switching line to transmit the same to the opposite party terminal, and a voice from the opposite party terminal is transmitted to the mobile phone terminal via the circuit switching line, while data from the mobile phone terminal is converted to a voice message by the data/voice message converting means to be transmitted to the opposite party terminal via the circuit switching line.

In the Office Action, the Examiner asserted that Nakano teaches “the **network comprises data/voice message converting means for converting data transmitted from the mobile phone terminal via the packet switching line to corresponding voice message, and means for merging the converted voice message to the circuit switching line to transmit the same to the opposite party terminal**” in Figure 2 and specifically, the character-to-voice data converter 63. The Examiner also asserted that this feature is taught in Columns 5, Line 54 to Column 6, Line 5 and Column 6, Lines 16-31 of Nakano. Applicant respectfully disagrees.

Nakano is directed to a portable telephone terminal that includes, among other things, a radio system and a voice/character conversion switch. (Nakano, Col. 3, Lines 46-54). This voice/character conversion switch comprises, among other things, the character-to-voice data

converter 63 cited by the Examiner as teaching the data/voice message converting means of the claim. (Nakano, Col. 4, Lines 27-31). The character-to-voice converter 63 is taught as converting the transmission character data to voice data before it is transmitted by the radio system. (Nakano, Col. 5, Lines 64-67). In other words, **the character data is converted into voice data by the mobile terminal not the network**. Thus, Applicant respectfully submits that Nakano does not teach “the **network comprises data/voice message converting means for converting data transmitted from the mobile phone terminal via the packet switching line to corresponding voice message**” as required by claim 1. As such, Nakano cannot be said to teach claim 1.

Accordingly, Applicant respectfully submits that claim 1 is not anticipated under 35 U.S.C. § 102(e) by Nakano, because the reference does not disclose all of the features of claim 1. Untaught and non-obvious modifications would have been necessary. As such, Applicant respectfully requests that the Examiner withdraw the rejection of claim 1, and claims 2-4 at least by virtue of their dependency from claim 1.

### **III. New Claims**

New claim 5 is patentable at least by virtue of its dependency on claim 1. New claim 6 is patentable at least by virtue of its recitation of “the network comprises: data/voice message converting means for converting data transmitted from the mobile phone terminal via the packet switching line to corresponding voice message, and means for merging the converted voice

AMENDMENT UNDER 37 C.F.R. § 1.111  
U.S. Application No.: 10/790,236

Attorney Docket No.: Q79897

message to the circuit switching line to transmit the converted voice message to the second terminal..." Claims 7 and 8 are patentable at least by virtue of their dependency on claim 6.

#### IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. **If any points remain in issue, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below to set up a telephonic interview.**

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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